

FISCAL NOTE

SB 2746 - HB 2766

March 18, 1998

SUMMARY OF BILL: Provides that fourth and subsequent convictions for DUI are classified as Class E felonies punishable by a fine between \$3,000 and \$15,000; by confinement between 270 days and the maximum authorized for the appropriate range of a Class E felony; and driver license revocation of five years. Current law states that third and subsequent convictions are misdemeanors punishable with a fine between \$1,100 and \$10,000; confinement between 120 days and 11 months and 29 days; and driver license revocation between three and ten years.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$4,264,000/Incarceration*
Increase State Revenues - \$846,000

Decrease Local Govt. Expenditures - \$1,895,000
Decrease Local Govt. Revenues - \$310,000

Assumes:

- an increase in state expenditures for confining approximately 376 fourth and subsequent offenders a minimum of 270 days at an average cost of \$42 per day.
- an increase in state revenues from fines collected from approximately 376 convicted fourth and subsequent offenders at a minimum of \$3,000 each. Assumes a 75% fine collection rate.
- a decrease in local government expenditures for confining approximately 376 fewer individuals previously convicted with a misdemeanor and serving a minimum of 120 days at an average cost of \$42 per day.
- a decrease in local government revenues from fines collected from approximately 376 fewer misdemeanor convictions at a minimum of \$1,100 per offender. Assumes a 75% fine collection rate.

*Section 9-6-119, TCA, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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